



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Legislative Analysis**

**Regional Transportation Committee**

Thursday, September 15, 2005

9:30 AM

Commission Chamber

Charles Anderson, CPA  
Commission Auditor

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**Miami-Dade County Board of County Commissioners  
Office of the Commission Auditor**

**Legislative Analysis**

**Regional Transportation Committee  
Meeting Agenda**

**Thursday, September 15, 2005**

Written analyses for the below listed items are attached for your consideration in this Legislative Analysis.

**Item Number(s)**

2(A)	3(A)
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If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Chief Legislative Analyst, at (305) 375-5469.

Acknowledgements--Analyses prepared by:  
Guillermo Cuadra, Esq., Chief Legislative Analyst  
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## LEGISLATIVE ANALYSIS

*RESOLUTION DIRECTING THE COUNTY MANAGER TO TAKE STEPS NECESSARY TO ALLOW THE EXPEDITIOUS EXPENDITURE OF ROAD IMPACT FEES FOR MASS TRANSIT ROADWAY CAPACITY ENHANCEMENT IN CERTAIN INFILL AND REDEVELOPMENT AREAS, AND FURTHER DIRECTING THE COUNTY MANAGER TO REPORT ON STEPS TAKEN AND TO RECOMMEND APPROPRIATE CHANGES TO ROAD IMPACT FEE EXPENDITURE PRIORITIES WHEN SUCH MASS TRANSIT EXPENDITURES ARE ALLOWABLE*

Commissioner Carlos A. Gimenez

### I. SUMMARY

This resolution asks the manager to develop a plan to allow for the expeditious expenditure of Road Impact Fees (RIFs), collected by the County, on Mass Transit Projects in Urban Infill and Redevelopment Areas.

### II. PRESENT SITUATION

On December 6, 1988, the Board of County Commissioners adopted the Road Impact Fee (RIF) Ordinance (Chapter 33E of the Miami-Dade County Code), for the purpose of ensuring that all new development bears its proportionate share of the capital cost of road and transportation facilities affected by its development. The Ordinance created nine (9) RIF Districts to ensure that the fees collected in a certain area were allocated within that area. In each district, there was created an RIF trust fund into which these fees were deposited.

On December 3, 2002, the Board of County Commissioners amended the RIF ordinance to allow the County the authority to issue limited obligation bonds to be secured by Road Impact Fee funds. It was anticipated that proceeds from the sale of these bonds could be utilized to advance the construction of major improvement projects that would otherwise be unduly delayed.

For the past three years Miami-Dade County has collected the following amounts in Road Impact Fees:

2002	\$17,214,459
2003	\$19,955,113
2004	\$25,881,939

The recent rise in the amount of RIFs collected can be attributed to the increase in development the County.

### **III. POLICY CHANGE AND IMPLICATION**

This resolution is seeking a plan to spend monies collected in RIFs more expeditiously, especially in areas where congestion is greatest and additional lane miles are not a feasible solution.

### **IV. ECONOMIC IMPACT**

There is no direct fiscal impact.

The County would just spend monies it already collects faster.

### **V. COMMENTS AND QUESTIONS**

The plan should take into account that these projects should be "one time" capital projects that do not require ongoing operational costs.

There is presently a proposal to collapse the current nine (9) Road Impact Fee Districts into three (3) districts. Proponents of this proposal argue that often the size of a development could mean that it affects other districts abutting the district in which the development takes place.

Some municipalities have been reluctant to support this proposal for fear of losing some of the RIFs collected within their municipal boundaries to other areas.

## LEGISLATIVE ANALYSIS

*RESOLUTION RELATING TO NORTH TERMINAL DEVELOPMENT PROGRAM AT MIAMI INTERNATIONAL AIRPORT, APPROVING MDAD AMENDMENT NO. 1 TO THE DESIGN SERVICES AGREEMENT WITH BERMELLO AJAMIL & PARTNERS, INC. FOR SUPPLEMENTAL ARCHITECTURAL / ENGINEERING SERVICES, PROJECT NO. MIA-746; APPROVING MDAD AMENDMENT NO. 1 TO THE DESIGN SERVICES AGREEMENT WITH LEO A. DALY COMPANY FOR SUPPLEMENTAL ARCHITECTURAL / ENGINEERING SERVICES, PROJECT NO. MIA-747; AND APPROVING MDAD AMENDMENT NO. 1 TO THE DESIGN SERVICES AGREEMENT WITH WOLFBERG ALVAREZ, FOR SUPPLEMENTAL ARCHITECTURAL / ENGINEERING SERVICES, PROJECT NO. MIA-739C; AUTHORIZING COUNTY MANAGER OR DESIGNEE TO EXECUTE SAME AND TO EXERCISE CANCELLATION AND TERMINATION PROVISIONS THEREOF; AND WAIVING THE REQUIREMENTS OF RESOLUTION NO. R-377-04*

(Aviation Department)

### I. SUMMARY

This resolution approves the first amendment, adding scope and Additional Services allowances, to the Design Services Agreements with Bermello Ajamil & Partners, Inc., Leo A. Daly Company, and Wolfberg Alvarez (projects # MIA-746-R-3, MIA-747-R-1, and MIA-739C respectively). This resolution waives the requirements of Resolution R-377-04 related to the effective date of the amended agreement.

### II. PRESENT SITUATION

On June 21, 2005, the Board approved the Fourth Amendment to the Lease, Construction and Financing Agreement (LCF) between American Airlines and Miami-Dade County transferring responsibility of completing the North Terminal Development (NTD) to the County. As a result, these agreements were assigned to the County. Each project's budget contains a contingency amount that can not be accessed without existing contractual mechanisms.

### III. POLICY CHANGE AND IMPLICATION

This resolution will provide the necessary mechanism to access the money for contingencies of each project involved to fund the added scope and Additional Services allowance.

### IV. ECONOMIC IMPACT

The amendment to each of the agreements involved does not increase either the NTD's budget or the budgets of any of the projects.

**V. COMMENTS AND QUESTIONS**

- ◆ The added scope and additional services allowance do not change the NTD budget or the budget for any individual project. Funding comes from the contingency portion of each project's budget.

Firm	Amount of recommended modifications	Total of current project contingencies <sup>1</sup>
Bermello Ajamil & Partners	\$1,416,100	\$4,149,964
Wolfberg Alvarez	\$849,944	\$3,308,365
Leo A. Daly Company	\$1,247,305	\$2,181,654

- ◆ As shown above, the amount of recommended modification per project is below the total current project contingency amounts allowing additional funding if additional contract increases are needed.
- ◆ Any amounts above the available current project contingency require approval by the Board.
- ◆ Over \$70 million are currently allocated for contingencies related to the North Terminal Development.

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<sup>1</sup> Source: Miami-Dade Aviation Department